

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 3, 1965  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen IaRue, Long, Shanks, White, Mayor Palmer  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND GENE RUTLEDGE, Koenig Lane Christian Church.

Mayor Palmer announced bids would be opened at this time for vertical pumps for the new Power Plant. The City Manager explained it was necessary to determine which manufacturer would supply the pumps in order to know how to design the station for which the pumps would be used. Likewise bidders on the screens have to know what kind of pumps will be used before they know how to bid on the screens. Bids were opened then as follows:

VERTICAL PUMPS - DECKER CREEK DAM  
CONTRACT GD-102

Bids opened by City Council 10:00 A.M., June 3, 1965

BIDDER	ITEM I 2-Pumps	ITEM II Spare Parts	ITEM III Per diem	Price Adjustment	Drawings in Cal. Days
(1) Alliger & Sears Company, Inc.	32,744	1,214	100 f	Firm	158
Byron-Jackson Pumps Inc.	44,296	679	100	Firm	28
A.M. Lockett & Co.	31,140	1,853	100	Firm	21
Peerless Pumps (2)	32,618	10	70 f	Firm	30
(1) Southern Engine and Pump Company	36,900	1,374	85	Firm	30

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- (1) Not exact compliance  
 (2) Deduct \$2760 from total for - - - - -  
 / travel expense

The City Manager stated specifications called for evaluation of bids based on horsepower and energy requirements according to a formula set out in the specifications. The bids were referred to the Consulting Engineers, BROWN & ROOT, INC., Mr. Weber, Project Engineer and the Director of Electric Utilities for this evaluation. Later in the afternoon meeting Mr. Weber reported there were quite a few exceptions and alternates in the apparent low bidders and asked that they be given a week to evaluate further these technicalities and report next Thursday.

The Director of Electric Utilities asked for postponement of opening of bids on the screens for the new plant scheduled for June 10th. Councilman Long moved that the taking of bids for the travelling screens be postponed, and that all parties be notified. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
 Noes: None

Councilman Long asked if there were any indication that the lowest bid was not going to be the recommendation, that she be supplied a full report.

Councilman White moved that the Minutes of May 27, 1965, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
 Noes: None

Mayor Palmer brought up the following zoning application deferred from last week:

SAFEWAY STORES  
 INC., By Bryant  
 Curington, Inc.

Tract 1  
 2314-2404 Wheless Lane

From Interim "A" Residence 1st Height & Area  
 To "GR" General Retail 1st Height & Area

Tract 2  
 2406 Wheless Lane

From Interim "A" Residence 1st Height & Area  
 To "B" Residence 1st Height & Area  
 NOT Recommended by the Planning Commission

MR. FORREST TROUTMAN, represented the opposition to this zoning, stating most of the people in this area did not have notice of the change as they were not the owners as appeared on the tax roll. They objected to this change as evidenced by the petition filed last week bearing signatures of about 400 people living in the surrounding subdivisions. Deed restrictions were placed on the properties in

the subdivision, but not on the area under question. His clients claim representations were made at the time they purchased this property that this particular area would remain residential. Councilman LaRue asked if there were any statements in writing to that effect by the developer. Mr. Troutman said they were made orally by the agents. The opposition protested backing this commercial development right in the middle of the residential area as there is another large community center, and a large tract of land adjoining it. These people had a right to rely on these representatives that the area would remain residential and these homes range from \$20-\$30,000. If this center is permitted the traffic congestion that will be created at the intersection will increase the hazards. This is the only route the children have to go to the three schools; the property values of the adjoining homeowners will be diminished and the general character of the neighborhood will be changed from residential to commercial. The notices of the zoning change made in February 1965 were sent to the developer, who did not forward them to the land owners. One owner had lived within 200' of this area since June, 1964, and the zoning change was made in February 1965. The notice went to the person who sold the property to Safeway. The Mayor asked if the deed were recorded in June of 1964 and was on record in 1965. Mr. Troutman said it was. He said to proceed would be a violation of "due process" as these people were not advised of the February 1965 change. To be accorded "due process" these people need to have notice, and hearing. They are preparing a petition to have this tract reclassified as "A" Residential. No construction has been started, and now is the time to stop this commercial development, and he urged the Council to follow the Planning Commission's recommendation and not grant the change.

Councilman Shanks stated the only thing before them was the granting of the zoning of this extension and nothing on the previous zoning.

MR. RICHARD BAKER stated Safeway had purchased the property at approximately a quarter of a million dollars in cash, the deed has been recorded, and there are no zoning contingencies upon this tract. The majority of the tract was zoned "GR" General Retail in 1963 prior to the time of development. Some development was underway. The pattern had been established in the fall of 1963. He read from the Zoning Ordinance the provision of notification. He said anyone who had rendered his property in accordance with the laws would have been on the tax rolls. He pointed out that a shopping center area within a subdivision is a normal procedure. Councilman Long stated when Safeway bought this tract, they knew how far the "GR" General Retail zoning went, and since the Planning Commission did not recommend this, she would be willing to go along with the Commission. Safeway felt the tract was large enough to build on when they bought it and it extended into this residential area, and she did not believe it was good zoning. Councilman Shanks said it was a tie vote in the Commission hearing. MRS. B. C. GERSCH, 2404 Devonshire, stated there are quite a few homes that are for sale or for rent. This was the first notice they received, and they were not aware of the change going on at the other end of the street. MR. LEONARD LAWTON, stated when the original zoning was granted in 1963 this area was farm land with little shacks on it and there were no homes. Other community centers preferred to have good avenues and highways. This area under consideration goes into a dead end street with one avenue of exit. DR. WALLACE said there was a community center a few blocks from this, and there was no need for this center, and he could not see what purpose it could serve. Councilman LaRue noted there was this commercial zoning prior to development of the subdivision and although there was no commercial construction, the commercial zoning would have been revealed with some investigation; but even though it was commercial, the purchasers were told it was

residential. Councilman Long stated developers could be required to place a sign on reserved areas for commercial so stating. Councilman White said agents do not always know the plans and have no control over the property. Mayor Palmer said a letter was filed stating some type of screening would be provided along the back lot lines of the homes that face on Devonshire; in addition, the portion that they are asked to be zoned "B" Residence would be a 20' buffer zone on the homes that face on Wheless Lane. Councilman Long moved to uphold the recommendation of the Planning Commission. The motion died for lack of a second. Councilman LaRue moved that the Council grant the change of zoning as requested. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: Councilman Long

The Mayor announced that the change had been granted to "GR" General Retail 1st Height and Area for 2314-2404 Wheless Lane and to "B" Residence 1st Height and Area for 2406 Wheless Lane and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH A. D. STENGER, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY

659  
CODE OF 1954 AS FOLLOWS: LOT 2, LESS THE SOUTH 57.5 FEET, BLOCK 1, OF R. N. GRAHAM SECTION 2, SUBDIVISION, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS AP-PORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 17TH DAY OF JUNE, 1965, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE

OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Aransas Street and sundry other streets)

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White moved that MR. CLYDE WELCH be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. WELCH requested that fishermen be permitted to use small motors on boats between Lamar Bridge and Tom Miller Dam for fishing, as there are no residents or anyone to object to any noise. In answer to Mayor Palmer's question, Mr. Welch stated the middle of the stream was sufficiently deep for motors. The Mayor said the Lake was created for cooling water for the Power House, and the plus factor was for recreation. A public hearing was held at the Auditorium, attended by approximately 500 people; and only three, who were in the business of selling motors, actually asked for motors on Town Lake. The former Presidents of the Chamber of Commerce, Parks and Recreation Board, and everyone present urged that motor boats not be permitted on that Lake, since there is Lake Austin where motor boats are used. Mr. Welch stated motors had been improved all along, and no one would use a motor at this location except a fisherman. The Mayor stated he would not consider this without having another public hearing. Councilman White said if motor boats were allowed in that location, it would open up the whole Lake. Councilman Shanks pointed out the new trend of zoning lakes--some for fishing--some for sail boats, etc. Councilman Long suggested the Council get a small boat and small motor and take a trip up there and see about the depth, and see how much noise a 3 or 5 h.p. motor would make. Councilman Shanks stated the Council should check into the feasibility of the people using the Lake more extensively.

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Pursuant to published notice thereof the following zoning applications were publicly heard:

CHARLES D. PEAVY, M.D.	3703-3711 Manchaca Road	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "O" Office be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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ROBERT K. MEYER, Trustee, By John O. Raney	128-300 Alpine Road Additional Area 120-126 Alpine Road	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
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The Director of Planning discussed proper access through this area to the property to the west, pointing out the lots on Alpine Road are 467' long, and the general proposal was to dedicate a street to extend Filburn Drive to the south into the west end, cutting the 467' lots down the middle. He explained the situation of the rest home there, the effect of this street pattern, and the agreement on file. It was stated by the representative of the applicant that they had filed an agreement with the City when all of the property owners developed this street, they would dedicate this area, and run it through this property. The Planning Director said this street was in line with the basic requirement of the subdivision ordinance. After discussion, Councilman Long moved that the change to "B" Residence be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

The City Manager submitted the following:

"May 31, 1965

"To: Mr. W. T. Williams, Jr., City Manager  
Subject: Bids on 69 KV Substation structure for Magnesium Substation

"Bids were opened at 10:00 A.M., May 28, 1965, for one 69 KV Substation structure to be installed at Magnesium Substation, on Research Blvd., by the Purchasing Agent, and sent to the Electric Department for evaluation and recommendation. The bids and evaluations are tabulated below:

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<u>"VENDOR</u>	<u>NET PRICE</u>	<u>SHIPMENT</u>
"Southern States Equipment Company	\$40,200.00	22 wk.
Southern States Equipment Co. alternate	39,200.00	22 wk.
Joslyn Mfg. & Supply Company	35,510.00	20 - 22 wk.
Westinghouse Electric Corporation	30,770.00	21 wk.
Allis - Chalmers Mfg. Company	41,993.00	20 wk.
Graybar Electric Corporation	30,815.15	28 - 30 wk.
Graybar Electric Corporation alternate	29,874.88	28 - 30 wk.
Pennsylvania Transformer Division of McGraw Edison	42,980.00	30-34 wk.
H. K. Porter Company, Inc.	38,216.00	15 - 17 wk.
Priester - Mell Company, Inc.	34,624.00	October 65'

"All vendors quoted a firm price, and all quoted net 30 days except Graybar Electric Company who quoted a cash discount of  $\frac{1}{2}$  of 1%. The discounted prices are shown in the tabulation. The alternate quoted by Graybar Electric Company does not meet the specifications.

"I recommend that we accept the bid of Westinghouse Electric Corporation of \$30,770.00, the lowest bid meeting the specifications, for one 69 KV Substation structure for Magnesium Substation.

"From: Dexter C. Kinney, Director Electric  
Utilities  
Signed: Dexter C. Kinney"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 28, 1965, for one 69 KV substation structure to be installed at Magnesium Substation, on Research Boulevard; and,

WHEREAS, the bid of Westinghouse Electric Corporation, in the sum of \$30,770.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director Electric Utilities, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Westinghouse Electric Corporation, in the sum of \$30,770.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Westinghouse Electric Corporation.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

55.  
June 3, 1965

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, in, upon and across the North 139.99 feet of the West five (5.00) feet of Lot 11, Resubdivision of a portion of Block K, Highland Park West, a subdivision of portions of the Daniel J. Gilbert Survey, the C. J. Strother Survey and the Albert Sillsbe Survey, in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of a portion of Block K, Highland Park West, being of record in Book 5 at Page 78 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described easement; and,

WHEREAS, the City Council has determined that the hereinafter described easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easement, to-wit:

All of the North 139.99 feet of the West five (5.00) feet of Lot 11, Resubdivision of a portion of Block K, Highland Park West, a subdivision of portions of the Daniel J. Gilbert Survey, the C. J. Strother Survey and the Albert Sillsbe Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of a portion of Block K, Highland Park West, being of record in Book 5 at Page 78 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL ALL THAT CERTAIN ALLEY TRAVERSING BLOCK 10, BELLVUE PARK, LOCALLY KNOWN AS SUNNYVALE STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY PURPOSES, IN, UPON AND ACROSS THE EAST ONE HUNDRED (100.00) FEET OF THE ALLEY; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long inquired about the article in the paper concerning a suit by the Government regarding the vacating of an alley near the Women's Club between Nueces and San Antonio. The City Attorney stated it perhaps involved foreclosure of an estate for inheritance tax or income tax lien on some property located in that vicinity; and involved some land that was one time an alley. For description of the land that was being foreclosed, it was necessary to describe it as a certain lot plus one half of an alley.

The Council had before it an ordinance providing for Civil Defense Shelter Managers. The City Attorney distributed copies of the ordinance to the Council. The City Manager explained this ordinance provided for the appointment of people to be in charge of fall out shelters when they needed to be used in emergencies for shelter. Generally the type of person to be appointed would be the Building Managers or the owners of the buildings in which the shelters are located. The individuals designated to manage these shelters need to be trained in regard to the duties and the responsibilities and things which they can well expect to occur in the event of an emergency. This ordinance would give to these Managers considerable authority on those occasions when they have to act as Shelter Managers during the emergencies. Councilman Long stated during peace time and no emergency, she would like to have an appeal to the Council in case the shelter managers are dismissed by the Director of Civil Defense. The City Manager stated they were appointed by the Civil Defense Director. The City Manager with regard to an appeal inquired about the Commissioner's Court since this was a joint function of the City and County. Councilman LaRue asked if there had been designated an Assistant. The City Attorney reported the whole chain of command as set up in the emergency plan would apply. Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 35 OF THE AUSTIN  
CITY CODE OF 1954 BY ADDING THERETO SECTION  
35.10 DESCRIBING THE FUNCTIONS, DUTIES AND  
POWERS OF SHELTER MANAGERS DURING NATIONAL

## EMERGENCIES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

(Councilman Long voting against the ordinance without the appeal clause.)  
The City Attorney showed a certificate that would be placed in the shelter so that people would know who was in charge. The City Manager stated there was a serious responsibility placed on the Manager of the Shelter.

Councilman Long read a letter calling attention to the infestation of "black beetles" that is occurring in the City. The downtown area is especially hard hit, and insecticides are being put on the sidewalk to kill these beetles. The beetles are being exterminated, but nothing is being done to remove the remains. She suggested that the Chamber of Commerce ask the property owners to clean up the area. The Mayor suggested the Jaycees might take this as their project. The Director of Public Works stated the merchants swept the sidewalks, and the streets are flushed that night. The City Manager stated the merchants did sweep their sidewalks; sometimes after the street cleaner has been by.

The City Manager reported the Town Lake Study Committee approved a small boat dock in connection with the Town Lake Plaza. The Building Official showed a sketch of Town Lake Plaza, the little slough, and the location of the boat dock which would extend three feet out into the water. He also recommended approval of the dock. The Mayor asked if this were in keeping with the overall plan? The Building Official stated it was. Councilman Shanks asked about the type of boat to be moved there. The Building Official said there would be sail boats or paddle boats for the occupants of the subdivision. Councilman Long moved that the Council approve the recommendation of the boat dock on Town Lake. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager said the proposal of Valet Parking Service at the Airport was discussed also last week. The site would be entirely separate from the parking area at the Airport. The Council had mentioned further consideration be given to the proposed location, and the City Manager believed the proposed Schmidt property would be the proper one, as it is covered with trees; and along the boundary of the property between the Schmidt property and the terminal building there are some low trees. With the vegetation, there would be better screening and it would be very simple with a little hedge work to completely screen it from the entrance to the terminal building and possibly from Manor Road also. The Director of Aviation stated these lessees would want a 10 or 12 year lease with option of renewal at mutually agreed rates. He wanted to get the Council's reaction to the general idea and location. A study is being made of how many cars are parked, and how many people are leaving their cars, etc. and by next week, this count will be completed, and it will be known about how much this Valet Parking Service would be willing to offer dollar wise for this lease. The initial project would provide for 96 cars, and there would be room for expansion if the need arose. This group would build a maintenance shop for the Airport for all of the field equipment. Colonel Murphy reported seven of the 15 pieces of equipment were accumulated from the Air Force at no cost whatsoever to the City. The Company would build the maintenance shop at City's specifications and amortize it out of revenue from this project. This proposal would provide a maintenance shop without an immediate capital outlay. Colonel Murphy stated the Valet Parking facilities would not be completely sealed off from Manor Road, as there would have to be a sign, and the drives would come off Manor Road. The Mayor stated the Council would go into this whenever the Valet Parking Service submitted its proposition.

The City Manager stated copies of the Aviation Director's memorandum had been sent to the Council regarding the Rent-a-Car Agencies. He noted the recommendation was that further agencies not be added. Councilman LaRue noted the recommendation that the minimum charge be increased to \$500.00. Councilman Long suggested that this matter be deferred until the contracts came up for renewal. Colonel Murphy reported there was over a \$2 or \$3,000 increase a year. The business increased \$57,000, and this year it will go up another \$24,000 over that. Councilman LaRue suggested that the increase of the monthly minimum guarantee be left open for negotiations. Colonel Murphy stated if circumstances warranted he would bring in the new contracts with a recommendation of \$750.00. After discussion, Councilman Shanks moved that COLONEL MURPHY'S recommendation be accepted and restrict this service to the three present operators (Avis, Hertz, and National Car Rental Services) that are there at the present time; and that the monthly minimum guarantee be increased from \$250.00 to \$500.00 at the termination and the beginning of a new contract. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Director of Aviation announced the BRASS RAIL RESTAURANT serves a beautiful buffet.

The City Manager submitted a petition asking that an area be fogged including Sunrise Circle, Sunset Circle, and others. Councilman Long moved

that the area be fogged as petitioned. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

MR. WESLEY PEARSON, Chairman Urban Renewal Board of Commissioners, made a brief report to the Council on the Urban Renewal Kealing Project, stating it was moving along more satisfactorily now, and expressing appreciation to the Council, to the City, and Public Works Department for their cooperation. There is visible evidence being made now and the neighborhood is proud of what has been done. The project moved slower than they expected; but from now on, things would move more rapidly. Engineering can be performed on relocating the streets, and sidewalks for the schools can be laid out. Eliminating the old shacks and structures as rapidly as possible is making an impression. About 75 properties have been acquired within about a year. Mayor Palmer said many people may have felt that this program did move a little slowly, but he believed out of these 70 properties, it had not been brought to his attention that any one person was unhappily mishandled or mistreated, and the way the commissioners and agency have approached this by taking enough time and effort, and meeting with these people and explaining it, far outweighs moving faster and having a lot of unhappiness. Mr. Pearson said the staff wanted to move with caution and wanted to be fair with every owner and every tenant, and this has delayed the project. It will be necessary now to move forward to accomplish what they had started out to do. The staff has tried very hard, and the owners and tenants have confidence that they were trying to be fair. Not everyone had been completely pleased but the staff and commission had tried to please them.

Mr. Wesley Pearson reported on Boggy Creek Project stating all engineering had been completed, and he was hopeful of getting one of the alternate routes approved so they could proceed. Assurance had been given that this plan would move forward, but changes in the Federal regulations came through, and there is some uncertainty now. It appears the property could be cleared and made into a park more economically than it could be reclaimed.

Mr. Pearson reported on the Brackenridge Project, stating the Board after reviews with the architects and the City Manager, voted unanimously (those present) if it were the wishes of the Council to proceed under an Urban Renewal Project, that the Board and the Staff would be glad to take it over, feeling they could do it in a more economical amount in salaries than at first anticipated. He said it was not the intention of the Board Members at all regarding the Brackenridge project to freeze all construction in the entire project although it is realized certain properties will be acquired and will be purchased as rapidly as possible. In fact construction and improvements should be encouraged. The City Manager stated the only thing that would cause some delay would be to work with the property owner to see if his improvements or proposals are consistent with the plan; and in most of the area, the property owners would be encouraged to develop it in accordance with the plan. A considerable part is contemplated to be commercial, office buildings, etc. Councilman Long inquired if the fact the City had applied for open space on Waller Creek would mean that Boggy Creek was being turned down. Mr. Pearson stated Boggy Creek had moved along as rapidly as possible and it is unfortunate there is a delay now. The timing on the Brackenridge project was discussed, and it was anticipated the planning could be done in less than a year, since the preliminary plan could

be used in this Urban Renewal planning. Expanding the Hospital utility building, to take in the present Health Building was mentioned, but it was stated that would not be anytime soon; as that would depend upon the time Brackenridge is a 600 bed hospital. It was brought out also that the application is made to the Urban Renewal with the request for early acquisition of land and if it is approved, no one would be held up who wanted to sell their property. The City Manager stated the gross cost of the project, including the local contribution would be around \$16,000,000, assuming all the property will be bought and resold, which it is known it will not be.

The Planning Engineer stated neither the City Manager nor he had ever said there would be a "freeze" or even inferred such. They would show any property owner what the general development programs are and inform them; but there is no intent to freeze the property. As to Mr. Jaster's property, it is being held up temporarily and appraisal work is underway. Mr. Jaster will be contacted soon, and he is aware of this.

After discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, under Title I of the Housing Act of 1949, as amended (herein referred to as "Title I"), the Housing and Home Finance Administrator is authorized to extend financial assistance to local public agencies in the elimination and prevention of the spread of their slums and urban blight through the planning and undertaking of urban renewal projects; and

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Housing and Home Finance Agency effectuating that Title, provide that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the undertaking and carrying out of urban renewal projects assisted under Title I of the Housing Act of 1949, as amended; and

WHEREAS, it is desirable and in the public interest that the Urban Renewal Agency of the City of Austin make surveys and prepare plans, presently estimated to cost approximately One Hundred and Ninety-five Thousand Dollars (\$195,000.00), in order to undertake and carry out an urban renewal project of the character contemplated by Section 110(c) of Title I, in that area proposed as an Urban Renewal Area, situated in the City of Austin, County of Travis, and State of Texas, which is described as follows:

Being the area bounded on the North by 19th Street, on the South by 8th Street, on the West by San Jacinto Boulevard, and on the East by East Avenue (with the exception of the area in the Southwest corner of the project which is occupied by the new Federal and Post Office Buildings), as shown by the description contained in Exhibit "A" attached hereto and for all purposes made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That the proposed Urban Renewal Area described above is a slum, blighted, deteriorated, or deteriorating area appropriate for an urban renewal project and that the undertaking by the Urban Renewal Agency of surveys and

plans for an urban renewal project of the character contemplated by Section 110(c) of Title I in the proposed Urban Renewal Area is hereby approved.

2. That the financial assistance available under Title I is needed to enable the Urban Renewal Agency to finance the planning and undertaking of the proposed Project.

3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those relating to (a) the relocation of site occupants, (b) the provision of local grants-in-aid, (c) the prohibition of discrimination because of race, color, creed, or national origin, and (d) the requirement that the locality present to the Housing and Home Finance Administrator, as a prerequisite to approval of the application described below, a workable program for community improvement, as set forth in Section 101(c) of Title I, for utilizing appropriate public and private resources to eliminate and prevent the development or spread of slums and urban blight.

4. That the United States of America and the Housing and Home Finance Administrator be, and they hereby are, assured of full compliance by Urban Renewal Agency with regulations of the Housing and Home Finance Agency effectuating Title VI of the Civil Rights Act of 1964.

5. That it is the sense of this body (a) that a feasible method for the relocation of individuals and families displaced from the Urban Renewal Area, in conformity with Title I, can be prepared, and (b) that the local grants-in-aid can and will be provided in an amount which will be not less than one-third of the Net Project Cost of the Project and which, together with the Federal capital grant, will be generally equal to the difference between Gross Project Cost and the proceeds or value of project land sold, leased, or retained for use in accordance with the urban renewal plan.

6. That the filing of an application by the Urban Renewal Agency of the City of Austin for an advance of funds from the United States of America to enable it to defray the cost of the surveys and plans for an urban renewal project in the proposed Urban Renewal Area described is hereby approved.

EXHIBIT "A"

Brackenridge Urban Renewal Project  
Boundary

FIELD NOTES

THAT CERTAIN AREA KNOWN AS THE BRACKENRIDGE  
URBAN RENEWAL AREA CONTAINING APPROXIMATELY  
164 ACRES AND DESCRIBED GENERALLY AS FOLLOWS:

BEGINNING at the intersection of the north line of East 19th Street with the northerly prolongation of the west line of San Jacinto Street;

THENCE, with said north line of East 19th Street, in an easterly direction to a point in the west line of East Avenue;

THENCE, with said west line of East Avenue, in a southerly direction to a point in the south line of East 8th Street;

THENCE, with said south line of East 8th Street, in a westerly

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direction to a point in the west line of Trinity Street;

THENCE, with said west line of Trinity Street, in a northerly direction to a point in the south line of East 10th Street;

THENCE, with said south line of East 10th Street, in a westerly direction to a point in the aforesaid west line of San Jacinto Street;

THENCE, with said west line of San Jacinto Street and its northerly prolongation, in a northerly direction to the point of beginning.

FIELD NOTES: William O. Schramm  
7-16-65

APPROVED:

signed: S. Reuben Rountree, Jr.  
S. Reuben Rountree, Jr.  
Director of Public Works

Reference  
Section Maps  
2,3,4,5,8 and 9

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer  
Noes: Councilman White

The City Manager had some matters pertaining to the Fiscal Agent's contract, stating FIRST SOUTHWEST COMPANY had been fiscal agents for a number of years in making sales of the bonds, helping on the prospectus, and they are familiar with the financiers and what they want in the way of bonds; maturities and maturity schedules, debt service schedules, etc. and advising on opportune times to sell bonds. They have been helpful and good interest rates had been obtained as a result of their advice in the past. They had been discussing with them the matter of employing them in connection with the new bonds as well as a new issue of revenue bonds which will probably be submitted at an election next year. The Municipal Advisory Council to which all of these advisors belong has proposed fees to become effective in July that are considerably higher than these now being charged. If these advisors are engaged prior to July, it might be possible to secure a better fee. He listed the average in the past was \$.555 per bond, which is low in comparison to what others are paying--\$1.00 to \$4.00. First Southwest suggested \$.70 a bond for the new issue and the proposed issue that may be submitted next year. The Mayor stated when the arrangements were made in 1960, they carried on through the five year period at that one rate. The \$14,000,000 Revenue Bonds would be on the old rates. This new fee would include all expenses. After discussion, Councilman Shanks moved that the City Manager be authorized to make a contract with FIRST SOUTHWEST COMPANY on the new schedule of \$.70. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman Long moved that permission be granted for the HAMMOND CARNIVAL for the Livestock Show next March, having been cleared by the Chief of Police. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Manager called attention to the letter from Mr. W. L. Bradfield regarding street name changes in Highland Hills which had been agreed upon between the Bradfields and a street naming committee, but the property owners who live along these streets had not even been notified. Councilman Long thought the people who lived on the streets should be notified. The City Manager stated since this was Mr. Bradfield's subdivision, and they have sold to these people that Mr. Bradfield would be asked to check with them. The Mayor stated the understanding is that the Bradfields will contact these people rather than the City. Councilman Shanks stated Mr. Bradfield could be told the Council looked with favor on these street name changes but it did not want to do anything until it heard from him again. The City Manager said he would notify the Bradfields and tell them that the Council wanted this cleared with the home owners there, and ask him to contact the property owners.

The Council discussed the request of the University Cooperative Society, Inc. about constructing two additional floors above its store at 2246 Guadalupe. Finally, after discussion and on the recommendation of the Building Official and City Manager, Councilman Long moved that the City Manager be authorized to instruct the Building Official to issue a permit to the University Co-op for its building. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Manager announced Mr. Howard Barr had been asked to make a talk before a Civic Club in July regarding Brackenridge Hospital, and he wanted to know if the Council approved this. Members of the Council expressed themselves as agreeing, stating this would be one way of informing the people. The City Manager said he would ask Mr. Barr to present it as the Architects' concept, and that he was not speaking for the Council.

The City Manager reported the Hospital Board adopted a resolution commending the retiring members of the Hospital Board, and suggested that the Council might want to do the same. It was mentioned that MR. EMIL SPILLMANN was also retiring from the Planning Commission. The Mayor stated the Council did authorize a resolution as well as a letter. He asked if a resolution was the proper way to express the Council's appreciation, or would the Council prefer some nice certificate of appreciation. The City Manager said it was suggested by the Hospital Board that a certificate suitable for framing might be prepared. The Mayor suggested that the City Attorney compose a real nice type of certificate, or suggested form, and find out the costs, etc.

The City Manager submitted the report from MR. AL ELDRIDGE, Construction Engineer, that after his talking to engineers regarding the swimming pool, the only one that he believed has had swimming pool experience is the BRYANT-CURINGTON firm and he recommended that they be engaged to do this. Mr. Eldridge

noted that Mr. Hale is being asked to do some other work, and had indicated he was not interested now in doing the swimming pool. Councilman Shanks moved that the City Manager be authorized to negotiate with BRYANT-CURINGTON to do this swimming pool in SOUTHWEST PARK. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager stated the timing would be discussed with them very thoroughly.

The City Manager stated the Director of Water Utilities had discussed with the Council certain projects on which certain Engineers would be engaged. On the Dry Creek Sewer Project, he recommended MR. ISOM HALE. Mr. Schmidt stated this would be within the 3 3/4% range, and Mr. Hale had agreed on a fixed fee. The next project will be a transmission main out of the new Filter Plant No. 3, and details will be worked out on that with National Engineers, and he would bring this back to the Council in about two weeks. Councilman Shanks moved that the City Manager be authorized to negotiate with MR. ISOM HALE on the Dry Creek Project at this fixed fee. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The Director of Water Utilities stated certain parts of this project would be let at separate times. The transmission line will be on the Bee Caves Road and will furnish water to the new South Austin Plant which will be in operation in 1968. It too, will be a little over \$1,100,000. Small projects are being discussed with other engineers.

The City Manager had a recommendation from Mr. Eldridge, Construction Engineer regarding remodeling at the Library, which involves removing the staff kitchen and dining area to provide space for shelving for the Extension Division. Provisions for Young People's Division with an outside entrance is planned. This \$15,000 will be paid by 50% Federal Funds and 50% Library Bond money. The plans also were to consolidate some collections. It was recommended since ROY WHITE did the original library expansion and is familiar with the building, that he be selected to do this work, as the Librarian felt he could do a better job than someone else. Councilman Shanks moved that MR. ROY WHITE be appointed as the architect on the Library remodeling. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

The Assistant City Manager stated a concessionaire for the City Park had been approved for a two year period, but he is leaving Austin. The Recreation Director stated MR. RAY STONE would like to operate this concession at Metropolitan Park, taking this over on the same basis as provided in the previous contract. He recommended that Mr. Stone be given the concession. Councilman Shanks moved that Mr. Stone be awarded the concession at Lake Austin Metropolitan Park as recommended. The motion, seconded by Councilman White, carried by the

following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney stated a report and recommendation for settlement of the ALLIS-CHAIMERS, and the McGRAW-EDISON cases were available whenever the Council wanted to go into this. FEDERAL PACIFIC made an offer, but it is so inadequate, they would not recommend acceptance. The Mayor stated the Council would try to set a time the early part of next week and go over this recommendation in the Counsellor's Office.

Mayor Palmer read a letter from WUPPERMAN & SPANGLER, Veterinarians, regarding a plat subdividing property on North Lamar, stating they would dedicate 20' right of way along North Lamar and they understood the City would purchase this at the reasonable market value. This matter was discussed briefly as to right of way in excess of 70', and zoning on inadequate streets.

Mayor Palmer read a letter from MR. ED BRIDGES, Chairman of the Commission on Mental Retardation, submitting a budget for the City of Austin, for the next fiscal year. Councilman LaRue did not realize when the Commission was appointed that this was the end result. The Mayor said they had been told if they had any idea of expenditures to be sure and let the Council know before the budget was prepared. Councilman Long was not willing to pay for traveling expenses, and noted this was a State Program. Police Chief Miles, with reference to the police and fire budget they were submitting, stated the Police Department had spent a great deal of time and money training its Policemen to recognize and handle abnormal people, and he personally saw no value in setting up such a suggested file. Mayor Palmer stated the Council would acknowledge receipt of this and ask that the City Manager check with his various departments and determine what his recommendation might be. Councilman LaRue moved that this request be referred to the City Manager to check, and make his recommendation. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor stated Mr. Bridges had also notified the Council that MR. L. D. HICKS, a teacher at Rosewood School, had resigned from the committee and they were recommending MRS. RUTH C. McALLISTER. Councilman Long moved that Mr. Hick's resignation be accepted and MRS. RUTH C. McALLISTER be appointed on the Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer read a letter from the United States Information Service Office in Belo Horizonte addressed to Dr. Joe W. Neal, regarding the Sister City Program, stating resolutions would be sent to the Mayor of Austin; a

package of materials on Belo Horizonte would be forwarded to authorities in Austin; and formal ceremonies linking the two cities together are planned for the near future.

Mayor Palmer read a letter from MR. FRANK WALLING, Trade Union Exchange Program Division, expressing in behalf of the U.S. Department of Labor, appreciation for the City's cooperation and assistance in meeting with the trade union team from Bolivia who visited in Austin the first week of May 1965.

Councilman Long inquired about the filling, rocks and debris at LaGuna Gardens. The City Manager reported attendance at a meeting, and Mr. Ed St. John gave a progress report on LaGuna Gardens. The Public Works Director said his Department was supervising the amount of fill, etc. The City Manager stated LaGuna Gardens was restoring some of the excavation they had done on the beach.

The City Manager announced the Aqua Festival was planning a social gathering for the workers in the Festival on June 8, 6:30 P.M. at the Zilker Club House.

The City Manager said last week the Council discussed the matter of the Council's hosting Mayors of surrounding towns, in connection with the Aqua Festival and Colonel Murphy would review some suggestions for the Council's consideration. Colonel Murphy listed 55 towns within a radius of 100 miles of Austin that is considered the Central Texas Community, and outlined the plans in detail. After discussing the matter at length, Councilman Shanks moved that \$500.00 be made available in this behalf; and what is not used, could be turned back. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council had before it a budget for an amendatory Community Development Program. The City Manager stated \$74,716 was being added, and the City's cost would be \$24,900.00. This would expand the personnel and enlarge the scope of the program. The Planning Director stated the amounts for the Economics & Market Consultant had been increased; as well as for additional work on the Architectural Consultant and additional staff time in order to keep up with the changes in Austin resulting from the Transportation Study Plan, the Capitol and the University Plans, and also the Hospital Plans. The additional growth factors have to be reviewed in line with the changes occurring. Mayor Palmer asked if the Sociological Study was complete. The Planning Director stated there were some tabulations and compilations to be made and final reports to be prepared. Dr. Hazzard's contract is not quite finished, and they had added \$500.00 which may or may not be necessary for the final review with the various other consultants and City personnel. After this is reviewed with the Citizens Committee a report will be made to the City Council. Councilman Long asked for a written report. Councilman White inquired about the staff salaries of \$34,717, and asked if that meant a new staff or to whom does that go. The Planning Director explained it was the continuation of the existing staff with the addition of one person. About \$10,000 goes to existing City staff including people from various other departments, who are used and paid out of these funds. Mayor Palmer said when this budget was adopted a year or so ago, there were no announced plans of the

expansions of the State, of the University, or the Hospital. No one knew about these at the time the first budget was made. The Fort Worth Office realizes these were not included in the study, and these extra things would have to be included even if it meant more money. The Mayor said the rule of thumb for plans is \$1.00 per person; and with Austin's 212,000 people the figure would be about \$212,000; but Austin's amount has been about \$184,000, and the Planning Department is running below \$1.00 per person for this type of survey. It was stated \$15,000 is in the current budget, and \$10,000 will have to be appropriated in next year's budget.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION APPROVING AND PROVIDING FOR EXECUTION OF  
PROPOSED SECOND AMENDATORY CONTRACT AMENDING CONTRACT  
FOR COMMUNITY RENEWAL PROGRAM GRANT NO. TEX. R-59(CR)  
(G) BETWEEN THE CITY OF AUSTIN, TEXAS, AND THE UNITED  
STATES OF AMERICA

WHEREAS, under Title I of the Housing Act of 1949, as amended, the Housing and Home Finance Administrator is authorized to make grants for the preparation or completion of Community Renewal Programs; and

WHEREAS, it is desirable and in the public interest that the City of Austin complete a Community Renewal Program for the City of Austin, situated in the County of Travis, and the State of Texas; and

WHEREAS, it is recognized that the Federal contract for a grant to assist in the completion of the Community Renewal Program will require, among other things, that: (1) The City of Austin shall complete the Community Renewal Program with all practicable dispatch; (2) the Community Renewal Program shall conform to the general plan of the locality as a whole; (3) the provision of the locality's share of the cost of preparation and completion of the Community Renewal Program; and (4) other local obligations and responsibilities in connection with the preparation and completion of the Community Renewal Program; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. That the completion of the Community Renewal Program referred to above by the City of Austin is hereby approved.

SECTION 2. That the financial assistance under Title I of the Housing Act of 1949, as amended, referred to above, is required to enable the City of Austin to finance the completion of the Community Renewal Program,

SECTION 3. That it is fully cognizant of the obligations and responsibilities that are imposed by a Federal contract for a grant to assist in the preparation and completion of a Community Renewal Program and that in the sense of this body that such obligations can and will be fulfilled.

SECTION 4. That the filing of an application by the City of Austin for a grant under Title I of the Housing Act of 1949, as amended, in an amount not to exceed

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\$123,069 to assist in financing the completion of a Community Renewal Program for this locality is hereby authorized and approved.

SECTION 5. Authority is granted to the officers and duly appointed agents of the Local Public Agency to send to the Housing and Home Finance Agency certified copies of this and such other documents or proofs in connection with the application for Community Renewal Program grant as may be requested by the Government.

SECTION 6. That the United States of America and the Housing and Home Finance Administrator be, and they hereby are, assured of full compliance by the City of Austin with regulations of the Housing and Home Finance Agency effectuating Title VI of the Civil Rights Act of 1964.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer  
Noes: Councilman White

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

Mayor Palmer discussed the request of MR. JACK ANDREWARTHA to vacate 10' of street right-of-way adjoining his property. Councilman Long wanted Mr. Andrewartha to drain that water out of there within the next week, before extra space of the street were given to him. The Mayor stated he would be asked to pump this water out. Mayor Palmer reviewed the request to vacate 10' on the east side of Matagorda Street, stating it had been cleared through all departments except the Traffic and Transportation Department where it was not recommended from a traffic standpoint. Councilman LaRue questioned the granting of this request, as if there is a 60' right of way dedicated and if 10' are allowed to be returned to the property owner on the east side; if at some future time the street is vacated, the property owner on the west side would get only 25' instead of 30'. He realized the possibility of vacating the street was remote, but if this lady has an interest in this street to the extent of 30', if action is taken on vacating 10', she would have only an interest of 25'. Discussion covered many points--that the 10' would be added to the tax rolls; Mr. Andrewartha was paying for all the street improvements including the drainage; and since he had been discussing utilities in lieu of paving instead of his having a paving assessment against the property owner across the street, he was expecting to receive "in-kind" free utilities to the extent of the amount he is paying for paving. Discussion also covered the lack of knowledge of Mrs. Youngblood about the vacation of the street; her signing a plat dedicating .001 acre of land for street purposes; her property interest in the street as dedicated. It was brought out the property would be developed commercially; and to say there would never be a 60' street needed there with commercial development would be short-sighted. Mayor Palmer asked for the City Manager's recommendation. The City Manager said he would not recommend vacating this 10' for the reason the property owner across the street had not been contacted; and he had never seen a case yet where it could be predicted what the width of a street should be; nor could he see how the Planning Commission or anyone could say this right of way would not be needed. He asked what would happen if Mrs. Youngblood asked to vacate 10' from her side? Mayor Palmer stated the question was whether or not the 10' would be vacated from the east side of Matagorda, leaving a 50' right of way, and the City Manager

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could not recommend it without following the usual policy of talking to the other owner. Other than that, he had no serious objection. The Mayor asked that the City Attorney be instructed to draft a letter, and the Mayor said he would ask Mr. Andrewartha to talk with Mrs. Youngblood; and if he did not, he would go out and discuss it with her. Councilman White moved that an ordinance be brought in next week vacating 10' of the east side of Matagorda Street. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer  
Noes: Councilman LaRue

Councilman LaRue voting against the motion stating this was taking away from this lady something that belonged to her.

Councilman Long stated that Mr. Andrewartha be asked to pump out that water before then.

Councilman Long asked the Council to go out to the Americana Theater and check that parking situation there. She suggested putting "no parking" on Hancock Drive on both sides from 8:00 P.M. until 12:00 midnight. It is creating a traffic hazard and a problem. Councilman Long had the names of five people who were objecting to this parking. The people park on the street rather than on the parking lot. The Americana will have plenty of off-street parking, but people are going to park on the street near the theater rather than parking on the lot and having to cross the street. The Mayor stated they would look into this.

There being no further business Councilman White moved that the Council adjourn. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council adjourned subject to the call of the Mayor.

APPROVED

*L. E. Palmer*  
\_\_\_\_\_  
Mayor

ATTEST:

*Ellie Masley*  
\_\_\_\_\_  
City Clerk